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THE ATTORNEY GENERAL

STATE HOUSE ANNEX

25 CAPITOL STREET

CONCORD, NEW HAMPSHIRE 03301-6397

February 14, 1984

82-156-F

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Martha A. Ginty, M.Ed., R.N.  
Executive Director  
N.H. Board of Nursing Education  
and Nurse Registration  
105 Loudon Road  
Concord, New Hampshire 03301

Dear Mrs. Ginty:

By memorandum dated November 17, 1982, you requested the opinion of this office as to whether an advanced registered nurse practitioner (ARNP) may relay orders via a written prescription and whether a pharmacist may honor the prescription. It is our opinion that an ARNP may prescribe medications from an agreed-upon formulary and that a pharmacist may honor such a prescription.

Since your request was submitted to our office, RSA 326-B:10, II was amended to read as follows:

"An A.R.N.P. who functions in connection with protocols established jointly with a collaborative physician may prescribe medications from the formulary for a specialty area which has been jointly agreed upon by the board of registration in medicine and the board of nursing education and nurse registration. The formulary shall be kept on file with the boards of nursing and medicine and shall be reviewed and updated annually. The A.R.N.P. shall file with the board of nursing a current number issued by the federal Drug Enforcement

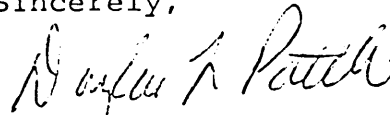


Agency (DEA) and the collaborative physician's name and DEA number. The A.R.N.P.'s name, specialty area, and DEA number, the collaborative physician's name and DEA number, and the formulary shall be distributed to each licensed pharmacy in the state."

It is now clear that an ARNP may prescribe medications from an agreed-upon formulary. Moreover, we have advised the Board of Pharmacy that a pharmacist may honor any prescription that conforms with this statute.

I trust this has answered your questions. Please let us know if you have any further questions.

Sincerely,



Douglas L. Patch  
Assistant Attorney General  
Division of Legal Counsel

DLP:ab  
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